

# Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

## Division of Mineral Resources Management

Scott Kell, Acting Chief

2050 East Wheeling Ave.

Cambridge, Ohio 43725-1413

Phone: (740) 439-9079 Fax: (740) 432-7711

**Date:** 03/22/2007

**To:** Appropriate Governmental Agencies

**From:** Scott Kell, Acting Chief  
Division of Mineral Resources Management

**Re:** Coal Mine Application Number: D-0425-6  
Coal Mine Permit Number: D-425  
Mine Name: Century Mine  
Date Issued: 03/22/2007

**Applicant:** AMERICAN ENERGY CORP  
43521 Mayhugh Hill Rd.  
Twp Hwy 8B  
Beallsville, OH 43716

**Telephone:** (740) 926-9152

**Permit Location:**

COUNTY	TOWNSHIP	SECTION	LOTS	T	R	Quad
MONROE	SUNSBURY	24		4	4	CAMERON

**Surface Acres:**

**Underground Acres:** 2.4

The Division of Mineral Resources Management has issued a coal mining and reclamation permit Adjacent Area Application/Amendment (AAA) to the above named applicant. The permit number and date of issuance is shown above.

The approved water monitoring plan for this permit's AAA is:

**Distribution List:**

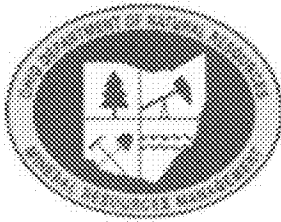
Office of Surface Mining  
4605 Morse Road  
Room 102  
Columbus, OH 43230

Jack A. Hamilton & Associates, Inc.  
P.O. Box 471  
342 High Street  
Flushing, OH 43077

Belmont County Commissioners  
Courthouse  
Main Street  
St. Clairsville, OH 43950

Belmont County Planning Commission  
Courthouse  
Main Street  
St. Clairsville, OH 43950

Goshen Township Trustees  
c/o Teresa Schafer, Clerk  
115 Liberty Lane  
Bethesda, OH 43719



# COAL MINING AND RECLAMATION PERMIT

# ORIGINAL

**Issued To:** AMERICAN ENERGY CORP  
43521 Mayhugh Hill Rd.  
Twp Hwy 88  
Beallsville, OH 43716

**Telephone:** (740) 926-9152

**Permit Number:** D-425  
**Application Number:** D-0425-6  
**Acreage:**  
**Underground Acreage:** 2.4  
**Effective:** 03/22/2007  
**Expires:** 10/21/2009

**Type of Operation:** Underground (Room and Pillar)

## LOCATION OF PERMIT AREA

NAME OF LANDOWNERS	T	R	SECTION	LOTS	TOWNSHIP	COUNTY
S. Mullett	4	4	24		SUNSBURY	MONROE

The issuance of this permit means only that the application to conduct a coal mining operation meets the requirements of Chapter 1513 of the Revised Code, and as such DOES NOT RELIEVE the operator of any obligation to meet other federal, state or local requirements.

This permit is issued in accordance with and subject to the provisions, conditions, and limitations of Chapter 1513 of the Revised Code and Chapters 1501:13-1, 1501:13-3 through 1501:13-14 of the Administrative Code.

The water monitoring plan for this permit shall be:

**Quality:** See Page 26, F3 of the Permit Application

**Quantity:** See Page 26, F3 of the Permit Application

**Note:** These monitoring requirements are separate from NPDES monitoring requirements.

**Signature:**

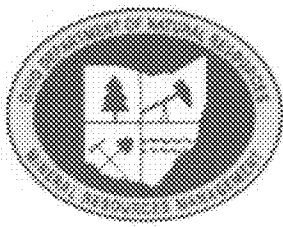
Chief, Mineral Resources Management

**Date:** 03/22/2007

## RECEIVED

MAR 27 2007

DIVISION OF MINERAL  
RESOURCES MANAGEMENT



**APPROVED UNDERGROUND  
COAL MINING PERMIT APPLICATION**

**ORIGINAL**

**Applicant:**

**Name:** AMERICAN ENERGY CORP  
**Address:** 43521 Mayhugh Hill Rd.  
Twp Hwy 88  
Beallsville, OH 43716

**Application Number:** D-0425-6

**Number of acres in underground workings:** 2.4

**Number of surface acres to be affected:**

**The water monitoring plan for this permit shall be:**

**Quality:** See Page 26, F3 of the Permit Application

**Quantity:** See Page 26, F3 of the Permit Application

**Note:** These monitoring requirements are separate from NPDES monitoring requirements.

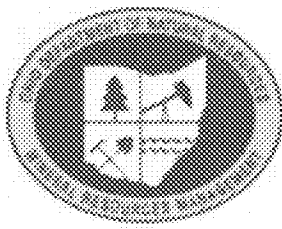
This application is APPROVED since it demonstrates and the Division has found that the criteria in paragraph (E) of rule 1501: 13-5-01 of the Administrative Code have been met.

**Signature:** Scott R. Hill **Date:** 3-22-2007

**RECEIVED**

**MAR 17 2007**

**DIVISION OF MINERAL  
RESOURCES MANAGEMENT**



## PERMIT SUMMARY SHEET

### Division of Mineral Resources Management

Permit Number: D-425

Application Number: D-0425-6

See permit cover sheet for specific conditions and hydrologic monitoring requirements.

#### Inspector's Note:

This summary is designed only to advise you of important provisions of a permit that require your attention and monitoring. Your familiarity with requirements and permitted activities will insure that mining and reclamation occurs as was intended and approved at the time of permit issuance. Please take the time to review relevant provisions of the permit carefully and thoroughly. Should you have questions about this or any permit, please do not hesitate to contact the application manager within the Permitting Section.

#### Items marked are applicable to this permit:

- |  |  |
|--|--|
| <input type="checkbox"/> Auger Mining (attachment 18)                      | <input type="checkbox"/> Beneficial Use of CCB's (Att. 34)   |
| <input type="checkbox"/> Alternate Resoiling Material (attachment 19)      | <input type="checkbox"/> Public Road Permit (attachment 9)   |
| <input type="checkbox"/> Blasting Plans                                    | <input type="checkbox"/> Small Area Drainage Exemption (SADE)  |
| <input type="checkbox"/> Buffer Zone Variance Request (BZVR)               | <input type="checkbox"/> Steep Slope Mining  |
| <input type="checkbox"/> Coal Waste Disposal (attachment 28)               | <input type="checkbox"/> Slurry Impoundment  |
| <input type="checkbox"/> Delay in Contemporaneous Reclamation              | <input type="checkbox"/> Test Hole Variance  |
| <input type="checkbox"/> Excess Spoil Disposal                             | <input type="checkbox"/> Variance from AOC   |
| <input type="checkbox"/> Experimental Mining Practices                     | <input type="checkbox"/> Wetlands Affectment/Avoidance   |
| <input type="checkbox"/> Federal Lands                                     | <input checked="" type="checkbox"/> Within 500' of active UG mine  |
| <input type="checkbox"/> Mountain Top Removal                              | <input checked="" type="checkbox"/> Within 500' of abandoned UG mine   |
| <input type="checkbox"/> MSHA Impoundment                                  | <input type="checkbox"/> Within 100' of a cemetery   |
| <input type="checkbox"/> AML No-Cost Area                                  | <input type="checkbox"/> Within 300' of occupied dwelling (attachment 10)  |
| <input type="checkbox"/> Prime Farmlands (attachment 15)                   | <input type="checkbox"/> Within 300' of public building, church, school, community or institutional building or public |
| <input type="checkbox"/> Remining (attachment 33)                          | <input type="checkbox"/> Within 1000' of wild, scenic or recreational river  |
| <input type="checkbox"/> Remining (Modified effluent)                      | <input type="checkbox"/> OEPA 401/COE 404 permits needed for wetlands or stream affectment and/or reconstruction       |
| <input type="checkbox"/> Remining BMP only Permit                          | <input type="checkbox"/> Tree Planting in Reclamation Plans  |
| <input type="checkbox"/> Special handling of acid-forming/toxic materials. |  |

Application Manager: *Brent Heavilin*  
~~Kevin Ricks~~, Environmental Specialist

Date: *3-22-07*

ORIGINAL

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT  
UNDERGROUND COAL MINING AND RECLAMATION  
PERMIT APPLICATION

Applicant's Name American Energy Corporation

RECEIVED

MAY 30 2006

DIVISION OF MINERAL  
RESOURCES MANAGEMENT

A. Type of Operation (check appropriate space(s)):

☐ Shaft, ☐ Slope, ☐ Drift,  
☒ Room and Pillar, ☐ Pillar Extraction,  
☐ Longwall, ☐ Combined Surface and Underground

B. Type of Application (check appropriate space(s)):

(1) ☐ New  
(2) ☐ Initial Underground Workings to Existing Permit  
(3) ☒ Additional Underground Workings

C. Address the following if applicable:

(1) Permit Number D-0425  
(2) Date Issued October 22, 1984

D. Did a person other than an employee of the applicant prepare this application?  
Yes, ☐ No ☒ If "yes," provide:

Preparer's Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_

E. I, the undersigned, a responsible official of the applicant, do hereby verify the information in the complete permit application as true and correct to the best of my information and belief.

Printed Name James R. Turner, Jr.; Title Treasurer

Signature [Signature]; Date 5-25-06

Sworn before me and subscribed in my presence this \_\_\_\_ day of \_\_\_\_\_, 2006.

[Signature]  
Notary Public

03/06  
DNR-744-9009

D - 0425 - 6



D - 0425 - 6  
DENISE B. DIERKES  
Notary Public, State of Ohio  
My Commission Expires May 26, 2009

AEC 19019

F. For Revision Review Only. This item is to be completed after revisions, if any, have been made to the permit application.

I, the undersigned, a responsible official of the applicant, do hereby verify and acknowledge the revisions made during the permit review process as true and correct to the best of my information and belief.

Printed Name James R. Turner, Jr.; Title Treasurer

Signature [Signature]; Date 10-18-06

Sworn before me and subscribed in my presence this 18 day of October, 2006

[Signature]  
Notary Public



DENISE B. DIETKE  
Notary Public, State of Ohio  
My Commission Expires May 2010

PART 1. LEGAL, FINANCIAL, COMPLIANCE, AND RELATED INFORMATION:

A. IDENTIFICATION OF INTERESTS

(1) Applicant's Name American Energy Corporation

Address 43521 Mayhugh Hill Road

City Beallsville State Ohio Zip 43716

Telephone 740-926-9152

Employer Identification No. (EIN) \_\_\_\_\_ or

Social Security No. (SSN), \_\_\_\_\_

(2) Indicate business structure of applicant and additional information:

\_\_\_\_\_ Single proprietorship,

\_\_\_\_\_ Partnership (registration no. and date obtained)

X Corporation (charter no. and date incorporated)

00842695 4/12/1993

\_\_\_\_\_ Association,

\_\_\_\_\_ Other, specify \_\_\_\_\_

(3) If the applicant is a single proprietorship, provide the following:

Owner's Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_

EIN \_\_\_\_\_, or SSN \_\_\_\_\_

Beginning date of ownership \_\_\_\_\_

ORIGINAL

D-0245-6

- (4) If the applicant is a business entity other than a single proprietorship, provide the following for the applicant's statutory agent and submit Owners & Controllers.

Agent's Name American Energy Corporation

Address 43521 Mayhugh Hill Road

City Beallsville State Ohio Zip 43716

Telephone 740 - 926 - 9152

EIN                     , or SSN (optional)                     

- (5) Is the operator of the mine to be a person different from the applicant? Yes, X No. If "yes," provide the operator's name and submit Operator Ownership & Control. (Note: if more than one operator, indicate operator's name and submit a separate attachment for each.)

Operator's Name                     

- (6) Provide the following for the person who will pay the abandoned mine land reclamation fee for the applicant.

Agent's Name American Energy Corporation

Address 43521 Mayhugh Hill Road

City Beallsville State Ohio Zip 43716

Telephone 740 - 926 - 9152

EIN                     , or SSN                     

- (7) Provide the following for all persons having the authority or ability to commit the financial, real property assets, or working resources of the applicant who are not otherwise identified as officers, directors, or owners of the applicant. If none, check box: [ X ]. If any person listed is a business entity and not an individual, also complete Owners & Controllers for that person.

Name                     

Address                     

City                      State                      Zip                     

Telephone        -        -                     

EIN                     , or SSN                     

Date O & C relationship began/ended (if applicable)

                     /                     

Submit and identify additional pages necessary to complete response.



- (8) Provide the following for all persons owning or controlling the coal to be mined by another person under a lease, sublease, or other contract and (a) having the right to receive the coal after mining, or (b) having the authority to determine the manner in which another person conducts coal mining operations. If none, check box: ☒ . If any person listed is a business entity and not an individual, also complete Owners & Controllers for that person.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_

EIN \_\_\_\_\_, or SSN \_\_\_\_\_

O & C relationship to entity

Date O & C relationship began/ended (if applicable) \_\_\_\_\_ / \_\_\_\_\_

Submit and identify additional pages necessary to complete response.

- (9) List below the person or persons primarily responsible for ensuring that the applicant will comply with Chapter 1513. of the Revised Code and the rules adopted pursuant thereto while mining and reclaiming the area for which this permit is requested.

**James R. Turner, Jr.**

- (10) Has the applicant, any person listed under items A(3), (7), and (8), or any person listed on Owners and Controllers who "owned or controlled" or "owns or controls" as defined in 1501:13-4-03(A), held a coal mining permit in the United States within the five years preceding the date of the application? ☒ Yes, \_\_\_ No. If "yes," submit Permit List.
- (11) Does the applicant, any person listed under items A(3), (7), and (8), or any person listed on Owners & Controllers have a pending coal mining application in any state of the United States? ☒ Yes, \_\_\_ No. If "yes," submit Pending Application List.
- (12) Indicate name of mine Century Mine
- (13) List below the MSHA identification numbers for the mine and for all mine-associated structures requiring MSHA approval on the proposed permit area.
- 33-01070**
- (14) Submit Certificate of Insurance.

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

PERMIT LIST



Applicant's Name **American Energy Corporation**

Submit the following information for each coal mining operation owned or controlled by either the applicant or by any person who owns or controls the applicant.

Name of Business Entity **American Energy Corporation**  
Address **43521 Mayhugh Hill**  
City **Beallsville** State **Ohio** Zip **43716**  
Telephone **740-926-9152**  
EIN or SSN

Permit Number	State	Regulatory Authority	MSHA Number and Date Issued
<b>D-0425</b>	<b>Ohio</b>	<b>ODNR DMRM</b>	<b>33-01070</b>
<b>D-1159</b>	<b>Ohio</b>	<b>ODNR DMRM</b>	

If not previously provided, indicate the ownership or control relationship of the business entity with the applicant, including percent of ownership and location in organizational structure:

Part 1: Section A

ORIGINAL

Revised 02/06  
DNR-744-9014

D - 0 4 2 5 - 6

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

PENDING APPLICATION LIST

Applicant's Name **American Energy Corporation**

Provide the following information for each pending coal mining application for either the applicant or any person who owns or controls the applicant.

Indicate the business entity for which this listing has been completed  
**American Energy Corporation**

Application No.	Name of Regulatory Authority	State
r-0425-16	ODNR DMRM	Ohio
r-0425-17	ODNR DMRM	Ohio

Part 1: Section A

ORIGINAL

Revised 02/06  
DNR-744-9035

D - 0 4 2 5 - 6

AEC 19024

3/06/03

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

ATTACHMENT 22  
(CERTIFICATE OF LIABILITY INSURANCE)

Name of Insured American Energy Corporation

This is to certify that the policy of insurance listed below has been issued to the above named insured and is in force at this time. The policy provides bodily injury and property damage insurance for all coal mining and reclamation operations of the insured in the State of Ohio as required by paragraph (8) of rule 1501:13-7-07 of the Administrative Code stated below.

Name of Insurer Federal Insurance Company

Policy Number 3710 44 10

Policy Period 6/1/06 - 6/1/07

Name of Underwriting Agent Karen Williams & Reschini Agency, Inc.

Address of Underwriting Agent 922 Philadelphia Street, Indiana, PA 15701

Telephone No. of Underwriting Agent (800) 828-5040

In the event of cancellation or non-renewal of this policy, including non-payment of policy premiums, the insurer agrees to promptly notify: The Division of Mineral Resources Management, Fountain Square, Columbus, Ohio 43224.

May 30, 2006

Date

Karen Williams  
Signature of Underwriting Agent

This certificate is issued as a matter of information only and confers no rights upon the Division of Mineral Resources Management. This certificate does not amend, extend, or alter the coverage afforded by the policy listed above.

1501:13-7-07(B) THE PUBLIC LIABILITY INSURANCE POLICY SHALL:

- (1) BE IN EFFECT DURING THE TERM OF THE PERMIT OR ANY RENEWAL, INCLUDING THE LENGTH OF ALL RECLAMATION OPERATIONS;
- (2) PROVIDE FOR PERSONAL INJURY AND PROPERTY DAMAGE PROTECTION IN AMOUNTS ADEQUATE TO COMPENSATE ANY PERSONS INJURED OR PROPERTY DAMAGED AS A RESULT OF COAL MINING AND RECLAMATION OPERATIONS, INCLUDING THE USE OF EXPLOSIVES. THE MINIMUM INSURANCE COVERAGE FOR BODILY INJURY AND PROPERTY DAMAGE SHALL BE THREE HUNDRED THOUSAND DOLLARS FOR EACH OCCURRENCE AND FIVE HUNDRED THOUSAND DOLLARS IN THE AGGREGATE; AND
- (3) INCLUDE A RIDER REQUIRING THAT THE INSURER NOTIFY THE CHIEF WHENEVER SUBSTANTIVE CHANGES ARE MADE IN THE POLICY, INCLUDING ANY TERMINATION OR FAILURE TO RENEW.

ORIGINAL D-0425-6

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

OWNERS AND CONTROLLERS

Applicant's Name **American Energy Corporation**

This attachment is to be completed and submitted with the permit application if the applicant is other than a single proprietorship. Provide the following for all partners, officers, directors, and stockholders owning ten percent or more of any class of voting stock or other instruments of ownership, and any other person performing a function similar to a director. Persons holding or who have held multiple positions must be listed separately for each position. If any owner or controller listed is a business entity and not an individual, also complete an Owners and Controllers for that business entity.

Name of business entity **American Energy Corporation**

Name **Robert E. Murray**

Street address **43521 Mayhugh Hill Road**

City **Beallsville** State **Ohio** Zip **43716**

EIN                      or SSN                     

Title of position within entity **President**

Date position assumed/ended (if applicable) **12/15/04/**

Percent of ownership **0%** Date of ownership                     

Name **Michael O. McKown**

Street address **43521 Mayhugh Hill Road**

City **Beallsville** State **Ohio** Zip **43716**

EIN                      or SSN                     

Title of position within entity **Secretary**

Date position assumed/ended (if applicable) **11/01/99/**

Percent of ownership **0%** Date of ownership                     

Name **James R. Turner**

Street address **43521 Mayhugh Hill Road**

City **Beallsville** State **Ohio** Zip **43716**

EIN                      or SSN                     

Title of position within entity **Treasurer**

Date position assumed/ended (if applicable) **3/01/05/**

Percent of ownership **0%** Date of ownership                     

Submit and identify additional pages necessary to complete response.

Part 1: Section A

ORIGINAL

D-0245-6

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

OWNERS AND CONTROLLERS

Applicant's Name **American Energy Corporation**

This attachment is to be completed and submitted with the permit application if the applicant is other than a single proprietorship. Provide the following for all partners, officers, directors, and stockholders owning ten percent or more of any class of voting stock or other instruments of ownership, and any other person performing a function similar to a director. Persons holding or who have held multiple positions must be listed separately for each position. If any owner or controller listed is a business entity and not an individual, also complete an Owners and Controllers for that business entity.

Name of business entity **American Energy Corporation**

Name **Robert L. Putsock**

Street address **43521 Mayhugh Hill Road**

City **Beallsville** State **Ohio** Zip **43716**

EIN                      or SSN

Title of position within entity **Assistant Secretary**

Date position assumed/ended (if applicable) **01/27/04/**

Percent of ownership **0%** Date of ownership

Name **Coal Resources, Inc.**

Street address **29325 Chagrin Blvd.**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN                      or SSN

Title of position within entity **Owner**

Date position assumed/ended (if applicable) **11/01/99/02/23/01**

Percent of ownership **0%** Date of ownership

Name **Murray Energy Corporation**

Street address **43521 Mayhugh Hill Road**

City **Beallsville** State **Ohio** Zip **43716**

EIN                      or SSN

Title of position within entity **Sole Shareholder**

Date position assumed/ended (if applicable) **2/23/01/**

Percent of ownership **100%** Date of ownership

Submit and identify additional pages necessary to complete response.

Part 1: Section A

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

OWNERS AND CONTROLLERS

Applicant's Name **American Energy Corporation**

This attachment is to be completed and submitted with the permit application if the applicant is other than a single proprietorship. Provide the following for all partners, officers, directors, and stockholders owning ten percent or more of any class of voting stock or other instruments of ownership, and any other person performing a function similar to a director. Persons holding or who have held multiple positions must be listed separately for each position. If any owner or controller listed is a business entity and not an individual, also complete an Owners and Controllers for that business entity.

Name of business entity **Murray Energy Corporation**

Name **John R. Forrelli**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN or SSN

Title of position within entity **Vice President**

Date position assumed/ended (if applicable) **12/18/03/**

Percent of ownership **0%** Date of ownership

Name **Robert D. Moore**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN or SSN

Title of position within entity **Vice President**

Date position assumed/ended (if applicable) **12/17/04/**

Percent of ownership **0%** Date of ownership

Name **P. Bruce Hill**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN SSN

Title of position within entity **Vice President-Human Resources**

Date position assumed/ended (if applicable) **12/18/03/**

Percent of ownership **0%** Date of ownership

Submit and identify additional pages necessary to complete response.

Part 1: Section A

ORIGINAL

D-0245-6

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

OWNERS AND CONTROLLERS

Applicant's Name **American Energy Corporation**

This attachment is to be completed and submitted with the permit application if the applicant is other than a single proprietorship. Provide the following for all partners, officers, directors, and stockholders owning ten percent or more of any class of voting stock or other instruments of ownership, and any other person performing a function similar to a director. Persons holding or who have held multiple positions must be listed separately for each position. If any owner or controller listed is a business entity and not an individual, also complete an Owners and Controllers for that business entity.

Name of business entity **Murray Energy Corporation**

Name **Henry W. Fayne**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN                      SSN

Title of position within entity **Director**

Date position assumed/ended (if applicable) **01/28/05/**

Percent of ownership **0%** Date of ownership

Name **Richard L. Lawson**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN                      or SSN

Title of position within entity **Director**

Date position assumed/ended (if applicable) **01/28/05 /**

Percent of ownership **0%** Date of ownership

Name **Andrew D. Weissman**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN                      SSN

Title of position within entity **Director**

Date position assumed/ended (if applicable) **10/23/03/**

Percent of ownership **0%** Date of ownership

Submit and identify additional pages necessary to complete response.

Part 1: Section A

ORIGINAL

D-0245-6



OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

OWNERS AND CONTROLLERS

Applicant's Name **American Energy Corporation**

This attachment is to be completed and submitted with the permit application if the applicant is other than a single proprietorship. Provide the following for all partners, officers, directors, and stockholders owning ten percent or more of any class of voting stock or other instruments of ownership, and any other person performing a function similar to a director. Persons holding or who have held multiple positions must be listed separately for each position. If any owner or controller listed is a business entity and not an individual, also complete an Owners and Controllers for that business entity.

Name of business entity **Murray Energy Corporation**

Name **Michael O. McKown**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN or SSN

Title of position within entity **Secretary**

Date position assumed/ended (if applicable) **02/23/01/**

Percent of ownership **0%** Date of ownership

Name **Michael D. Loliacono**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN or SSN

Title of position within entity **Treasurer, Director and Chief Financial Officer**

Date position assumed/ended (if applicable) **02/23/01/**

**Director & Chief Financial Officer** **12-20-05**

Percent of ownership **0%** Date of ownership

Name **Robert E. Murray**

Street address **29325 Chagrin Blvd., Suite 300**

City **Pepper Pike** State **Ohio** Zip **44122**

EIN or SSN

Title of position within entity **Chairman, President, CEO, Director, and Shareholder**

Date position assumed/ended (if applicable) **02-23-01/**

Percent of ownership **100%** Date of ownership **02/23/01**

Submit and identify additional pages necessary to complete response.

Revised 02/06  
DNR-744-9010

ORIGINAL

Part 1: Section A  
D-0245-00

B. COMPLIANCE INFORMATION

- (1) Has the applicant, any subsidiary, affiliate, or persons controlled by or under common control with the applicant:
- (a) Had a federal or state coal mining permit suspended or revoked in the five years preceding the date of submission of this application?  
\_\_\_ Yes, X No. If "yes," submit Suspension, Revocation & Forfeiture List.
- (b) Forfeited a mining bond or similar security deposited in lieu of bond?  
\_\_\_ Yes, X No. If "yes," submit Suspension, Revocation & Forfeiture List.
- (2) Has the applicant been issued a notice of violation (NOV) in connection with any coal mining and reclamation operation during the three years preceding the date of submission of this application for violations of Chapter 1513. of the Revised Code or these rules, or of any federal or state law, rule, or regulation pertaining to air or water environmental protection? X Yes, \_\_\_ No. If "yes," submit NOV List.
- (3) Have any unabated federal or state cessation orders (COs) and unabated air and water quality notices of violations (NOVs) been received prior to the submission date of this application by any coal mining and reclamation operation owned or controlled by either the applicant or by any person who owns or controls the applicant? X Yes, \_\_\_ No. If "yes," submit Unabated Violations.

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

NOV LIST  
Applicant's Name **AMERICAN ENERGY CORPORATION (CENTURY MINE)**

Permit Number	Violation Number	Date of Issuance	Issuing Agency	State	Brief Description of NOV	Action Taken to Abate NOV	Current Status of NOV (*)
D-0425	21807	01/25/05	ODNR	OHIO	W-401 water buffalo out of water at Moore's Dairy Farm.	Filled W-401 water buffalo	Terminated
D-0425	19695	04/27/05	ODNR	OHIO	Operator failed to maintain pond 008-A and sump next to Pond 018-A	Reconstructed embankments at Pond 008-A and sump next to Pond 018-A	Terminated
D-0425	19696	04/27/05	ODNR	OHIO	Coal from raw stockpile accumulating down slope in watershed of Pond 008	Removed coal down slope of raw coal stockpile. Measures taken to prevent additional contact	Terminated
D-1159	21860	06/15/06	ODNR	OHIO	Permittee failed to segregate and stockpile Prime Farmland soils prior to mining.	Remedial action in progress	Terminated
D-0425	19697	04-27-05	ODNR	OHIO	Permittee has not maintained haul and access road between Ponds 011 and Pond 008 series.	Sumps constructed to control drainage from haul and access roads.	Terminated
D-0425	21871	10/03/05	ODNR	OHIO	Failed to sub site specific repairs and schedule for repair to surface owners's property	Assembling a plan for the structure repairs	Still Active
							Terminated
							Terminated

ORIGINAL D-0425-6


- (\*) If administrative or judicial proceedings have been initiated concerning any of the violations, identify the violation and provide an addendum indicating the date, location, type of proceeding, and current status.

Part 1: Section B

ORIGINAL

D-0245-0

AEC 19033

## UNABATED VIOLATIONS

Name of Business Entity CENTURY MINE

[illegible]

ORIGINAL

D-0245-0

Revised 1103  
DNR-744-9017

- (\*) If administrative or judicial proceedings have been initiated concerning any of the violations, identify the violation and provide an addendum indicating the date, location, type of proceeding and current status.

**Part 1: Section B**

ORIGINAL

D-0245-6

Revised 11/05  
DNR-744-9017

C. RIGHT OF ENTRY INFORMATION

- (1)(a) Provide the following information for every legal or equitable owner of record, surface and mineral, of the property to be mined on the permit area (i.e. areas affected by surface operations and facilities), indicating whether the ownership is of surface, coal or non-coal mineral.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Surface \_\_\_\_\_, Coal \_\_\_\_\_, Non-coal Mineral \_\_\_\_\_

Deed Parcel No. \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Surface \_\_\_\_\_, Coal \_\_\_\_\_, Non-coal Mineral \_\_\_\_\_

Deed Parcel No. \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Surface \_\_\_\_\_, Coal \_\_\_\_\_, Non-coal Mineral \_\_\_\_\_

Deed Parcel No. \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Surface \_\_\_\_\_, Coal \_\_\_\_\_, Non-coal Mineral \_\_\_\_\_

Deed Parcel No. \_\_\_\_\_

C.(1)(b)

Provide the following information for every legal or equitable owner of the property to be mined covered by the underground workings indicating whether ownership is for the surface or coal.

Name S. Mullett

Address 3064 US Highway 50

City Beallsville State Ohio Zip 43716

Surface X, Coal \_\_\_\_\_, Non-coal Mineral \_\_\_\_\_

Deed Parcel No. Tract 42

Name Consolidated Land Company

Address 29325 Chagrin Boulevard

City Pepper Pike State OH Zip 44122

Surface \_\_\_\_\_, Coal X, Non-coal Mineral \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Surface \_\_\_\_\_, Coal \_\_\_\_\_, Non-coal Mineral \_\_\_\_\_

Deed Parcel No. \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Surface \_\_\_\_\_, Coal \_\_\_\_\_, Non-coal Mineral \_\_\_\_\_

Deed Parcel No. \_\_\_\_\_



- C. (2) Provide the following information for the holders of record of any leasehold interest in the coal to be mined or property to be affected by surface operations or facilities, indicating whether the held interest is of surface, coal or non-coal rights.

Name American Energy Corporation

Address 43521 Mayhugh Hill Road

City Beallsville State OH Zip 43716

Surface       , Coal X, Non-coal Mineral       

Submit and identify additional pages necessary to complete response.

- (3) Are there purchasers of record under a real estate contract of the coal to be mined or property to be affected by surface operations and facilities?  
       Yes, X No. If "yes," submit Purchasers of Record.
- (4) Is any owner, holder, or purchaser listed in items C(1) (a and b), (2), or (3) respectively, a business entity other than a single proprietorship?  
X Yes,        No. If "yes," submit Other Business Entities.
- (5) Is any part of the proposed permit area adjacent to any lands which are not owned by those persons identified in item C(1)(a)?        Yes, X No. If "yes," submit Adjacent Owners.
- (6) Does the applicant hold lands, interests in lands, options, or pending bids on interests for lands that are contiguous to the property to be mined?  
X Yes,        No. If "yes," provide a description of the lands.

See Permit D-0425-3 for a map of these lands

- (7) Is it anticipated that individual mining permits will be sought for any of those lands described in item C(6) above?        Yes, X No. If "yes," submit as an addendum and identify those lands to include the size, sequence, and timing of future mining permits, utilizing a map pursuant to 1501:13-4-13(J)(29), Ohio Administrative Code.

12/95

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINES & RECLAMATION

OTHER BUSINESS ENTITIES

Applicant's Name AMERICAN ENERGY CORPORATION

This attachment is to be completed and submitted with the permit application if the response to item C.(4) in Part 1 of the permit application is "yes." A separate attachment is to be submitted for each business entity.

Name of business entity CONSOLIDATED LAND COMPANY

Statutory agent A. H. STATUTORY AGEN CORP. #842696

Street Address 925 EUCLID AVENUE, SUITE 1100

City CLEVELAND State OHIO Zip 44115

Person's name Robert D Moore Position PRESIDENT

Street Address 29325 Chagrin Blvd., Suite 300

City Pepper Pike State OHIO Zip 44122

Person's name MICHAEL O McKown Position SECRETARY

Street Address 29325 Chagrin Blvd., Suite 300

City Pepper Pike State OHIO Zip 44122

Person's name ROBERT D. MOORE Position TREASURER AND ASSISTANT SECRETARY

Street Address 29325 Chagrin Blvd., Suite 300

City Pepper Pike State OHIO Zip 44122

ORIGINAL

D - 0425 - 6

AEC 19039

12/95

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINES & RECLAMATION

OTHER BUSINESS ENTITIES

Applicant's Name AMERICAN ENERGY CORPORATION

This attachment is to be completed and submitted with the permit application if the response to item C.(4) in Part 1 of the permit application is "yes." A separate attachment is to be submitted for each business entity.

Name of business entity AMERICAN ENERGY CORPORATION

Statutory agent AMERICAN ENERGY CORPORATION

Street Address 43521 MAYHUGH HILL ROAD

City BEALLSVILLE State OHIO Zip 43716

Person's name ROBERT E. MURRAY Position PRESIDENT

Street Address 43521 MAYHUGH HILL ROAD

City BEALLSVILLE State OHIO Zip 43716

Person's name MICHAEL O. MCKOWN Position SECRETARY

Street Address 43521 MAYHUGH HILL ROAD

City BEALLSVILLE State OHIO Zip 43716

Person's name JAMES R. TURNER, JR Position TREASURER

Street Address 43521 MAYHUGH HILL ROAD

City BEALLSVILLE State OHIO Zip 43716

Person's name ROBERT L. PUTSOCK Position ASSISTANT TREASURER

Street Address 43521 MAYHUGH HILL ROAD

City BEALLSVILLE State OHIO Zip 43716

ORIGINAL D-0425-6

- C. (8) (a) Provide either of the following to allow for coal mining operations on the permit area: **NA no permit area**
- (i) A copy of the right-of-entry documents attached as addenda, or
  - (ii) A Right-of-Entry Affidavit
- (b) Provide either of the following to allow for coal mining operations within the underground workings:
- (i) A copy of the right-of-entry documents attached as addenda, or
  - (ii) A Right-of-Entry Affidavit

03/06  
DNR-744-9009

ORIGINAL D - 0425 - 6

C. (8)(b) Provide either of the following to allow for coal mining operations within the underground workings:

- (i) A copy of the documents or
- (ii) An affidavit wherein the documents are described.

For all documents or affidavits provided for the underground workings, the specific parcels are to be identified on the application map.

AFFIDAVIT

State of Ohio, Monroe County, ss. James R. Turner, Jr. being first duly sworn, says that the following described documents convey to the applicant the legal right explained below and is a subject of litigation as shown below.

Type of document LEASE

Execution Date

Expiration Date NONE

Parties: From CONSOLIDATED LAND COMPANY To AMERICAN ENERGY CORPORATION

Description of land: No. Acres 2.40

County Monroe Township Sunsbury

Sections 24

Lots N/A

Parcel # Tract 42

Explanation of legal rights claimed:

Together with the free and uninterrupted right of way into, upon and under said land at such points and in such manner as may be proper and necessary for the purpose of digging, mining, coking, draining, ventilating and carrying away said coal, etc. (hereby waving all surface damages or damages of any sort arising there from or from the removal of all of said coal), together with the privileges of mining and removing through said described premises other coal belonging to the Grantee, his heirs and assigns, or which may hereafter be acquired by said Grantee, his heirs and assigns.

Said Grantors, for themselves and their heirs and assigns, reserve the right to drill and operate through said coal for oil and gas.

It is understood and agreed between the parties hereto that the said Grantors and their heirs shall be paid at the rate of one-hundred dollars per acre for all surface land taken and used for mining said coal by said Grantee, his heirs or assigns.

Pending litigation \_\_\_\_\_ Yes, X No.

[Signature]  
Signature of Affiant

Date 7-7-06

TREASURER  
Position

Sworn before me and subscribed in my presence this

7<sup>th</sup> day of July, 2006.

Notary Public

ORIGINAL

D-0425-6



Kathy J. Roe  
KATHY J. ROE  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 2010

03/06  
DNR-744-9009

ORIGINAL D-0425-6

03/06  
DNR-744-9009

AEC 19044

D. AREAS WHERE MINING IS PROHIBITED OR LIMITED - Permit Area

**NA no permit area**

- (1) Does the permit area included in this permit application include any area dedicated as a nature preserve pursuant to Chapter 1517., Ohio Revised Code? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit proof of valid existing right.
- (2) Does the permit area included in this permit application include any area within one thousand feet of the waterlines of any wild, scenic, or recreational river dedicated pursuant to Chapter 1501., Ohio Revised Code? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit proof of valid existing right.
- (3) Does the permit area included in this permit application include any area within the boundaries of the following systems: national park, national wildlife refuge, national trails, national wilderness preservation, national recreational areas, or wild and scenic rivers or river corridors, including those rivers under study? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit proof of valid existing right.
- (4) Does the permit area included in this permit application include any federal lands within the boundaries of any national forest? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit approval of the U.S. Secretary of Interior or proof of valid existing right.
- (5) Will operations in the permit area conducted under this permit adversely affect any publicly owned park or places included on the National Register of Historic Places? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit joint approval from the chief and the federal, state, or local agency with jurisdiction over the park or places or proof of valid existing right.
- (6) Will operations in the permit area conducted under this permit affect land within one hundred feet of the outside right-of-way of a public roadway? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," list the roadway(s) in the space below and submit Public Road Consent or proof of valid existing right.



- D. (7) Will operations in the permit area conducted under this permit affect land within three hundred feet of any occupied dwelling? ☐ Yes, ☐ No. If "yes," list the name of the owner(s) in the space below and submit Occupied Dwelling Consent or proof of valid existing right.
- (8) Will operations in the permit area conducted under this permit affect land within three hundred feet of any public building, school, church, community or institutional building, or public park? ☐ Yes, ☐ No. If "yes," submit proof of valid existing right.
- (9) Will operations in the permit area conducted under this permit affect land within one hundred feet of a cemetery? ☐ Yes, ☐ No. If "yes," submit proof of valid existing right or appropriate authorization to relocate the cemetery.
- (10) Will operations conducted during this permit result in the extension of any part of the pit within fifty feet of horizontal distance to any adjacent land or water in which the applicant does not own either the surface or mineral rights? ☐ Yes, ☐ No. If "yes," list below the name(s) of the adjacent owner(s) and submit 50-foot Consent.

E. AREAS WHERE MINING IS PROHIBITED OR LIMITED - Permit and Shadow Area

Are there areas within the proposed permit area, shadow area, or adjacent areas designated unsuitable for coal mining operations under rule 1501:13-3-07 of the Administrative Code or under study for designation in an administrative proceeding under this rule? ☐ Yes, ☒ No.

- (1) If "yes" to the item above, did the applicant make substantial legal and financial commitments in the proposed areas prior to January 4, 1977?  
☐ Yes, ☐ No.
- (2) If "yes" to item (1) above, submit as an addendum to the permit application information supporting the assertions that the commitments were made prior to January 4, 1977.

F. PERMIT TERM AND EXTENT - Permit and Underground Workings

- (1) Anticipated/actual date for:
  - (a) Starting mining operations 8/1/06
  - (b) Terminating mining operations 8/1/11
- (2) Does the applicant propose a permit term in excess of five (5) years? Yes Yes, X No. If "yes," submit an addendum with the information required by 1501:13-4-03(E)(3), Ohio Administrative Code.
- (3) Indicate the following acreage figures:
  - (a) Total Acres \_\_\_\_\_ (Permit area)
  - (b) Total Acres 2.4 (Underground Workings)
- (4) Horizontal extent of underground workings over life of permit in acres:
  - (a) Full Coal Recovery 0
  - (b) Room and Pillar 2.4

G. PUBLIC NOTICE - Permit and Shadow Area

- (1) In the space below, provide the name and address of the public office where a complete copy of this permit application is to be filed.

**The Monroe County Courthouse**  
**Woodsfield, OH 43793**

- (2) In the space below, list the name and address of the newspaper and submit an addendum providing the text of the advertisement that is to be published in a newspaper of general circulation in the locality of the proposed operation. Note: The advertisement is to provide the information required by paragraph (A) of rule 1501:13-5-01 of the Administrative Code.

THE TIMES LEADER  
200 SOUTH 4<sup>TH</sup> STREET  
MARTINS FERRY, OH 43935

MONROE COUNTY BEACON  
103 E. COURT STREET  
WOODSFIELD, OHIO 43793

ADDENDUM TO PART 1, PAGE 15, ITEM G(2)  
AMERICAN ENERGY CORPORATION

PUBLIC NOTICE

Pursuant to Section 1501:13-5-01 of the Ohio Administrative Code, notice is hereby given that AMERICAN ENERGY CORPORATION, 43521 Mayhugh Hill Road, Beallsville, has submitted an Adjacent Area Application to the Ohio Department of Natural Resources, Division of Mineral Resources Management.

AMERICAN ENERGY CORPORATION, 43521 Mayhugh Hill Road, Beallsville, Ohio, 43716 has submitted an underground coal mining application designated as D-0425-6 to the Ohio Department of Natural Resources, Division of Mineral Resources Management. The proposed underground application area is located in sections 24 T-4 R-4 in Sunbury Township, Monroe County. The area is located in Cameron Quad 7 - 1/2 minute U. S. G. S. Quadrangle maps 4.3 miles along State Route 556, immediately South and East of Beallsville, Ohio. The proposed underground workings encompass 2.4 Acres. Coal in this underground area will be removed using partial coal recovery, also know as the room and pillar mining method.

The Adjacent Area Application is on file at the Monroe County Courthouse, Records Office, 101 North Main Street, Woodsfield, Ohio, 43793 for public viewing. Written comments or requests for informal conference may be sent to the Chief, Department of Natural Resources, Division of Mineral Resources Management, 1855 Fountain Square Court, Columbus, Ohio 43224, within thirty (30) days of the last date of publication of this notice.

ORIGINAL

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The State of Ohio  
County of Belmont, ss:

The undersigned, being sworn, says that he or she is an employee of Eastern Ohio Newspapers, Inc., A Corporation, publisher of the Times Leader a newspaper published in Martins Ferry, Belmont County, Ohio, each day of the week and of general circulation in said city and county; that it is a newspaper meeting the requirements of sections 7.12 and 5721.01 Ohio Revised Code as amended effective September 24, 1957; that affiant has custody of the records and files of said newspaper; and that the advertisement of which the annexed is a true copy, was published in said newspaper on each of the days in the month and year stated, as follows:

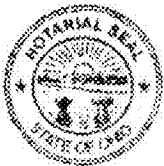
July 15, 22, 29

Aug 5 2006

Rebecca L. Anderson

Subscribed by Affiant and sworn to before me, this 5th day of Aug. A.D. 2006

Rebecca L. Anderson  
Notary Public



REBECCA L. ANDERSON  
Notary Public, State of Ohio  
My Commission Expires Nov. 26, 2006

Printer's Fee \$ 285.20

Notary's Fee \$

The Times Leader  
Martins Ferry, Ohio

## PUBLIC NOTICE

Pursuant to Section 1501, 12.6-01 of the Ohio Administrative Code, notice is hereby given that AMERICAN ENERGY CORPORATION, 43521 Mayhugh Hill Road, Beaverville, Ohio, 43716 has submitted an Adjacent Area Application to the Ohio Department of Natural Resources, Division of Mineral Resources Management.

AMERICAN ENERGY CORPORATION, 43521 Mayhugh Hill Road, Beaverville, Ohio, 43716 has submitted an underground coal mining application designated as D-0245-6 to the Ohio Department of Natural Resources, Division of Mineral Resources Management. The proposed underground application is located in sections 24, T-4 R-4 in Sunbury Township, Monroe County. The area is located in Cameron Quad 7, 12 minute U.S.G.S. Quadrangle maps 4.5 miles along State Route 526, immediately South and East of Beaverville, Ohio. The proposed underground workings encompass 24 Acres. Coal in this underground area will be removed using partial coal recovery, also known as the room and pillar mining method.

The Adjacent Area Application is on file at the Monroe County Courthouse, Records Office, 101 North Main Street, Woodsfield, Ohio, 43793 for public viewing. Written comments or requests for informal conference may be sent to the Chief, Department of Natural Resources, Division of Mineral Resources Management, 1855 Fountain Square Court, Columbus, Ohio, 43224, within thirty (30) days of the last date of publication of this notice.

TL Adv. - 4 Sat. - Jul. 15, 22, 23, Aug. 5

I hereby certify that this is a true copy of the original

Ellen M. Green

CELIA M. GREEN, Notary Public  
State of Ohio

ORIGINAL

D-0245-6

ALL Publications Expires September 30, 2011

**PUBLIC NOTICE**

Pursuant to Section 1501.13-5-01 of the Ohio Administrative Code, notice is hereby given that AMERICAN ENERGY CORPORATION, 43521 Mayhugh Hill Road, Beallsville, has submitted an Adjacent Area Application to the Ohio Department of Natural Resources, Division of Mineral Resources Management. AMERICAN ENERGY CORPORATION, 43521 Mayhugh Hill Road, Beallsville, Ohio, 43716 has submitted an underground coal mining application designated as D-0425-6 to the Ohio Department of Natural Resources, Division of Mineral Resources Management. The proposed underground application area is located in sections 24 T-4 R-4 in Sunbury Township, Monroe County. The area is located in Cameron Quad 7 - 1/2 minute U.S.G.S. Quadrangle maps 4.3 miles along SR 555, immediately South and East of Beallsville, Ohio. The proposed underground workings encompass 2.4 acres. Coal in this underground area will be removed using partial coal recovery, also known as the room and pillar mining method.

The Adjacent Area Application is on file at the Monroe County Courthouse, Records Office, 101 North Main Street, Woodsfield, Ohio 43793 for public viewing. Written comments or requests for informal conference may be sent to the Chief, Department of Natural Resources, Division of Mineral Resources Management, 1855 Fountain Square Court, Columbus, Ohio 43224, within thirty (30) days of the late date of publication of this notice.  
July 20, 27, Aug. 3, 10, 2006

I, Arlean Selvy do solemnly swear that the notice, a copy of which is hereto attached, was published for four (4) consecutive weeks on/or after July 20, 2006 in

**MONROE COUNTY BEACON**

a newspaper of general circulation in  
Monroe County, Ohio

Arlean Selvy, publisher  
Printer's Fee \$ 249.60

Sworn to and subscribed before me this 7<sup>th</sup> day  
of September, 2006

Sheila J. McKee  
Sheila J. McKee  
Notary Public, State of Ohio  
My Commission Expires 11-08-10

I hereby certify that  
this is a true copy  
of the original

Ellen M. Greer

ORIGINAL

D-0245-6

2011

PART 2 ENVIRONMENTAL RESOURCES INFORMATION

A. CULTURAL, HISTORIC, AND ARCHEOLOGICAL INFORMATION - Permit and Planned Subsidence Area

- (1) Are there any cultural or historic resources or structures listed or eligible for listing on the National Register of Historic Places within the proposed permit or planned subsidence area? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit an addendum describing the resources and structures including the location and submit Archeology-Surface or Archeology-Underground as appropriate.
- (2) Are there any known archeological sites within the proposed permit or planned subsidence area? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit an addendum describing the site including the location and submit Archeology-Surface or Archeology-Underground as appropriate.
- (3) If applicable, based upon the review of the proposed planned subsidence areas and the completed Archeology-Underground for the initial six months of projected mining, have any properties listed or eligible for listing on the National Register of Historic Places been identified? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit an addendum listing each property identified.
- (4) Submit an addendum indicating the method to be used to identify historic properties on planned subsidence areas as mining progresses.

B. GEOLOGY DESCRIPTION - Permit and Shadow Area

- (1) Submit an addendum describing the geology within the proposed permit area and shadow area down to and including the first stratum below the lowest coal seam to be mined or any aquifer below the lowest coal seam to be mined which may be adversely affected by mining. The description shall also include information on the areal and structural geology of the permit and shadow area and any other geologic parameters, which may influence the probable hydrologic consequences and protection of the hydrologic balance from material damage outside of the permit area.

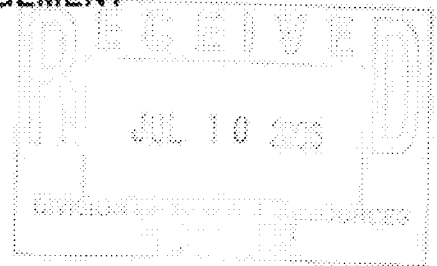
See D-0425-5 permit

- (2) Submit an addendum describing how the areal and structural geology may affect the occurrence, availability, movement, quantity, and quality of potentially affected surface and ground waters per paragraph (C) of rule 1501.13-4-13 of the Administrative Code.

The proposed underground mining area proposes coal removal by the room and pillar method of mining. No subsidence will occur. Also see response to this item in Permit D-0425-4.

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

ARCHEOLOGY-UNDERGROUND



1. Applicant's Name: **American Energy Corporation**  
Permit No: **D-0425**  
Address: **43521 Mayhugh Hill Road**  
City: **Beallsville** State: **OH** Zip Code: **43716**
2. Contact Person: **Melanie Murray** Phone: **740-926-9152**
3. Location and Acreage Information:  
County: **Monroe** Township: **Wayne**  
Section(s)/Lot(s): **24 T- 4, R-4**  
USGS Quadrangle: **Cameron** Acreage: **2.4**
4. Full Coal Recovery Area Map Attached: (USGS Quadrangle with full coal recover are delineated).
5. Historic and Prehistoric Structures:

Definitions:

A historic or prehistoric structure is a work made up on interdependent and interrelated parts in a definite pattern of organization. Constructed by humans, and 50 years or older, it is usually an engineering project.

Types:

Historic structures include, but are not limited to dwellings, buildings, barns, farmstead outbuildings, bridges, culverts, churches, schools, halls, iron furnaces (and associated buildings), canals, forts, abandoned coal mine buildings, mine entrances, tipples and related structures, etc.

Prehistoric structures include, but are not limited to, earthworks and mounds.

List all known historic and prehistoric structures below and locate each on the map to be sent to the SHPO including corresponding labeled back and front and rear photographs of each structure. Attach addendum, if necessary.

Structure Type	Construction Date	Map Reference	Photo No. Front	Photo No. Rear

6. Previous historic and/or archeological surveys: (describe any surveys known to applicant on the planned subsidence areas)

7. SHPO please send this form to:

Ohio Department of Natural Resources  
Division of Mineral Resources Management  
Attn: Archeologist  
2045 Morse Road, Building H-3  
Columbus, Ohio 43229-6693

---

**FOR USE BY THE STATE HISTORIC PRESERVATION OFFICE ONLY**

(check appropriate space)

- A. ☐ This is a recommendation for an archeological survey of the application based on the following reasons (attach addendum, if necessary):

A SHPO review of the area shown on the application map has provided a listing below of all known historic and prehistoric properties listed and eligible for listing on the "National Register of Historic Places" and known historic and prehistoric sites on the application area and adjacent areas (in a 1.5 mile radius). The listing includes, when appropriate, those historic and prehistoric structures identified by the applicant in items 5 and 6 above.

Listed and Eligible National Register Sites

Site Name (#)	Type	Application Area	Adjacent Area

Known Historic and Prehistoric Sites

Site Name (#)	Type	Application Area	Adjacent Area



- B. ☐ A SHPO review of the area shown on the application map and information contained in this form finds that the proposed mining does not have a reasonable probability of affecting any properties listed or eligible for listing on the "National Register of Historic Places." Therefore, no further coordination will be necessary with this office unless the scope of the application area changes.

State Historic Preservation Officer \_\_\_\_\_

SHPO # \_\_\_\_\_

Date \_\_\_\_\_

ORIGINAL

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- B. (3) For those areas to be affected by underground mining surface operations where removal of the overburden down to the level of the coal seam will occur, submit Drilling Report - Surface(s) as required by paragraphs (C)(2)(a) and (c) of rule 1501:13-4-13 of the Administrative Code.  
**NA no removal of overburden**
- (4) For those areas within the shadow area where the stratum above the coal seam to be mined will not be removed, submit Drilling Report - Underground(s) as required by paragraphs (C)(2)(d) and (e) of rule 1501:13-4-13 of the Administrative Code.  
**SEE PERMIT D-0425-5**

C. GROUND WATER INFORMATION - Permit, Shadow Area, and Adjacent Area

- (1) Submit Ground Water Description that describes the ground water hydrology of the proposed permit area, shadow area and adjacent area. The Ground Water Description is to include information on each water bearing stratum or zone as required by paragraph (D) of rule 1501:13-4-13 of the Administrative Code, including the first water bearing stratum below the coal to be mined.  
**See D-0425-5 Permit**
- (2) Are there any wells on the proposed permit area, shadow area and adjacent area? \_\_\_\_ Yes, X No. If "yes," submit Hydrologic Inventory.
- (3) Are there any springs on the proposed permit area, or developed springs on the shadow area and adjacent area? \_\_\_\_ Yes, X No. If "yes," submit Hydrologic Inventory.
- (4) Are there any public water supply sources on the proposed permit area, shadow area, and adjacent area? \_\_\_\_ Yes, X No. If "yes," submit Hydrologic Inventory, and show location on the hydrology map.
- (5) Submit Hydrologic Inventory for representative wells and developed springs as required by paragraph (D)(4) of rule 1501:13-4-13. Based on this data identify the seasonal variations of ground water quality and quantity.  
**NA no water sources in the shadow area**

D. SURFACE WATER INFORMATION - Permit, Shadow Area, and Adjacent Area

- (1) List the name of the watershed that will receive water discharges from the proposed permit, shadow, and adjacent areas as listed in the "Gazetteer of Ohio Streams" published by the Ohio Department of Natural Resources.  
Sunfish Creek
- (2) Are there any perennial or intermittent streams or other surface water bodies on the proposed permit, shadow area and adjacent area? X Yes, \_\_\_\_ No. If "yes," submit Hydrologic Inventory and show location on application and hydrology map.  
  
See Permit D-0425-5 for US-37 stream analysis

- D. (3) Based on the data listed on Hydrologic Inventory, and other information submitted with this application, identify the seasonal variations in water quality and quantity for the streams identified in Part 2, D (2). See Permit D-0425-5 for seasonal information on the U5-37 stream. This stream will not be affected by the proposed adjacent area.

E. HYDROLOGIC DETERMINATION - Permit, Shadow Area, and Adjacent Area

Based on the information submitted in response to items B, C and D in this part of the permit application, submit an addendum describing the probable hydrologic consequences of this proposed underground mining operation on the hydrologic regime of the proposed permit area, shadow area and adjacent area. The description shall include findings on each of the following items:

- (1) The consequences of the proposed operation on the contents of total suspended and dissolved solids, total iron, total manganese, acidity and pH;
- (2) Whether adverse impacts may occur to the hydrologic balance; and
- (3) The impact the proposed operation will have on:
  - (a) Sediment yield from the disturbed area
  - (b) Flooding and stream flow alteration or diminution
  - (c) Ground water and surface water availability

The proposed adjacent area consists of room and pillar mining only. No subsidence will occur. Mine pool redevelopment for the proposed adjacent area cannot be evaluated without taking the entire mining complex into consideration. This analysis will be developed as mining progresses, and water quantities are evaluated. There will be no impacts to ground or surface water resources as a result of the proposed additional 1.2 acre underground working area. No aquifers or water bearing zones will be impacted.

There appears to be a discrepancy on the abandoned mine quadrangle in this area for the abandoned Powhatan No. 1 Mine (BT-370). The actual Powhatan No. 1 Mine map was utilized to place the mine limits on the L.D.R. / A.R.P. map. Powhatan No. 1 Mine shafts have been cross-tied in the field to insure that the abandoned underground mine works were tied to, and relate correctly to, the proposed new underground works.

Please refer to the actual abandoned mine map for the Powhatan No. 1 mine, and not the USGS abandoned Mine Map Quad to confirm the correct location of the mine. No drilling program is planned.

F. ALTERNATIVE WATER SUPPLY INFORMATION - Permit, Shadow Area and Adjacent Area

- (1) Based on the response in Part 2, item E, submit an addendum identifying the extent to which the proposed coal mining activities may proximately result in contamination, diminution or interruption of an underground or surface source of water within the proposed permit area, shadow area and adjacent area that is used for domestic, agricultural, industrial or other legitimate use.  
No developed groundwater sources exist within the proposed shadow or adjacent area. The proposed coal mining will not result in impacts to any domestic supplies.
- (2) If contamination, diminution or interruption may result, submit an addendum identifying the alternative sources of water supply that could be developed to replace the existing sources including information on water availability and suitability of alternative sources for existing pre-mining uses and post-mining land use. No alternative sources will be necessary.

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G. LAND USE INFORMATION - Permit Area  
NA no permit area

- (1) Describe the uses of the land within the proposed permit area existing at the time of the filing of this permit application and provide a map which delineates the area of each land use.
- (2) Was the land use described in item G(1) above changed within five years before the anticipated date of beginning this proposed mining operation? ☐ Yes, ☐ No. If "yes," submit an addendum describing the historic use of the land.
- (3) Analyze the capability of the land within the proposed permit area before any mining to support a variety of uses, giving consideration to soil and foundation characteristics, topography, vegetative cover and hydrology of the proposed permit area.
- (4) Analyze the productivity of the land within the proposed permit area before any mining to include average yields obtained under high level of management.
- (5) Is any land within the proposed permit area classified as prime farmland? ☐ Yes, ☐ No.
- (6) Submit an addendum describing the use of the land within the permit area, including the creation of permanent water impoundments, that is proposed to be made of the land following reclamation, including information regarding the utility and capacity of the reclaimed land to support a variety of alternative uses.
- (7) Are there existing land use classifications under local law of the proposed permit area? ☐ Yes, ☐ No. If "yes," describe the land use classification and submit as an addendum to the permit application, the comments of the governmental agency that would have to initiate, implement, approve or authorize the proposed use of the land following reclamation. If "no," describe the sources of information on which the determination was made.

- G. (8) Submit Surface Owner Comments from the legal or equitable owner of record of the surface of the proposed permit area concerning the proposed land use.
- (9) Describe the consideration that has been given to making all of the proposed coal mining activities consistent with surface owner plans and applicable state and local land use plans and programs.
- (10) Describe how the proposed land use is to be achieved and the necessary support activities that may be needed to achieve the proposed land use.
- (11) Is the post-mining land use to be different from the premining land use? \_\_\_ Yes, \_\_\_ No. If "yes," submit Land Use Change Notification.
- (12) Has the proposed permit area been previously mined? \_\_\_ Yes, \_\_\_ No. If "yes," provide the following information, if available.
- (a) Type of mining method \_\_\_\_\_
  - (b) Coal seam mined \_\_\_\_\_
  - (c) Non-coal mineral mined \_\_\_\_\_
  - (d) Extent of mining (acres) \_\_\_\_\_
  - (e) Approximate dates \_\_\_\_\_
  - (f) Land use preceding mining \_\_\_\_\_

H. PRIME FARMLAND INVESTIGATION - Permit Area  
**NA no permit area**

- (1) Does the proposed permit area include any land that is prime farmland, taking into consideration the negative determinations listed in paragraph (L) (2) of rule 1501:13-4-13 of the Administrative Code? \_\_\_ Yes, \_\_\_ No.
- (2) If the response to item H.(1) is "yes," submit PFL Restoration Plan.
- (3) If the response to item H.(1) is "no," submit Negative PFL Determination.

I. FISH AND WILDLIFE PLAN

Describe the fish and wildlife resources for this permit area and adjacent area in accordance with paragraph (P) (1) (a-b) of rule 1501:13-4-05 of the Administrative Code.

**NA no permit Area**

PART 3 RECLAMATION AND OPERATIONS PLAN

A. GENERAL REQUIREMENTS - Permit Area (Items A (1) and A (2) - Permit and Underground Workings)

- (1) Submit an addendum describing the type and method of coal mining procedures for this application. Explain how these procedures will maximize the use and conservation of the coal resources.  
**See addendum to page 20, Part 3, A(1)**
- (2) Indicate the anticipated annual and total production of coal from this proposed operation.  
Annual 4,100 tons Total 4,100 tons
- (3) Will this operation be combined with surface coal mining activities to the extent that contemporaneous reclamation of areas disturbed by surface mining will be delayed or such that the underground workings will be within 500 feet of the surface mining activities? Yes No. If "yes," submit Variance for Delay in Contemporaneous Reclamation.  
**NA no permit Area**
- (4) Are experimental mining practices to be employed in the proposed mining operations? Yes No. If "yes," submit as an addendum to the permit application, the description, maps and plans required by paragraph (B) of rule 1501:13-4-12 of the Administrative Code.  
**NA no permit Area**
- (5) Are mountaintop removal mining practices to be employed in the proposed mining operations? Yes No. If "yes," submit as an addendum to the permit application the information required by paragraph (C) of rule 1501:13-4-12 of the Administrative Code.  
**NA no permit Area**
- (6) Are the natural pre-mining slopes within the permit area in excess of twenty (20) degrees? Yes No. If "yes," submit an addendum demonstrating compliance with the steep slope mining provisions of paragraph (D) of rule 1501:13-4-12 and 1501:13-13-05 of the Administrative Code.  
**NA no permit Area**
- (7) Is augering-highwall mining proposed within the permit area? Yes No. If "yes," submit Auger-Highwall Mining.  
**NA no permit Area**
- (8) Are variances from approximate original contour to be employed for the proposed underground mining surface operations? Yes No. If "yes," submit an addendum to the permit application demonstrating compliance with paragraph (E) and/or (K) of rule 1501:13-4-12 of the Administrative Code.  
**NA no permit Area**

ADDENDUM TO PART 3, PAGE 20, A(1)  
AMERICAN ENERGY CORPORATION  
CENTURY MINE  
PERMIT D-0425

#### MINING METHODS

This application area will be mined by partial coal recovery methods. Pillars will be sized sufficiently to maintain a high safety factor for long-term standup of the pillars. See addendum to Page 28, K(4).

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- A. (9) Will access to the underground workings be gained through a drift entry? Yes, X No. If "yes," provide as an addendum sufficient information to determine the location of the entry relative to the highest elevation of the coal reserve. Is the drift entry located so as to eliminate the potential for a gravity discharge? Yes, Yes No. If "no," the applicant must demonstrate that the coal seam is not acid or iron producing. Provide an analysis of the strata immediately above and below the coal, and the coal seam itself, sufficient to demonstrate that the water quality from the entry will meet effluent limitations without treatment.
- (10) For entries to underground workings other than drift entries, provide as an addendum sufficient information to determine the location of the entry relative to the coal reserve. Are the entries located so as to eliminate the potential for a gravity discharge? X Yes, Yes No. If "no," provide the following demonstration:
- (a) The gravity discharge will meet effluent limitations without treatment, or
  - (b) The water will be treated to meet effluent limitations and provisions will be made for consistent maintenance of the treatment facility throughout the anticipated period of gravity discharge
- (11) Will the permanent entry seals be designed to withstand the maximum anticipated hydraulic head when the operations are abandoned? Yes, Yes No. If "yes," submit the appropriate information demonstrating that this will be accomplished. If "no," provide a typical plan for the seals to be used to close the mine entries pursuant to applicable state and federal regulations.  
**NA no permit area**
- (12) Submit an addendum describing the construction, modification, maintenance, and removal (unless to be retained for post-mining land use), including the proposed engineering techniques and major equipment to be used, of the following facilities:  
**NA no permit area**
- (a) Dams, embankments and other impoundments. Do any of the plans for water, sediment or slurry impoundments meet the requirements of 30 CFR 77.216? Yes, Yes No. If "yes," submit as an addendum a plan that addresses each of the requirements in 30 CFR 77.216-2  
**NA no permit Area**
  - (b) Overburden and topsoil handling and storage areas and structures  
**NA no permit Area**



- A. (12) (c) Coal removal, handling, storage, cleaning and transportation areas and structures; including, but not limited to, preparation plants, beltlines, tipples, rail sidings and primary roads. For roads, conveyors and rail systems, submit an addendum describing the information required pursuant to paragraph (L) of rule 1501:13-4-14 and 1501:13-10-01 of the Administrative Code.  
**NA no permit Area**
- (d) Spoil removal, handling, storage, transportation and disposal areas and structures, including underground development waste or excess spoil disposal sites. If underground development waste or excess spoil is to be generated, submit an addendum describing the information required by paragraphs (O) and (P) of rule 1501:13-4-14 and 1501:13-9-07 of the Administrative Code.  
**NA no permit Area**
- (e) Mine facilities such as portal/shaft development, boreholes, de-gas holes, vents, office or shop buildings and maintenance facilities  
**NA no permit Area**
- (f) Water and air pollution control facilities  
**NA no permit Area**
- (13) Provide an estimate of the cost per acre to reclaim the permit area.  
\_\_\_\_\_ per acre  
**NA no permit Area**
- (14) Will the proposed operation include any of the following:
- (a) Disposal of coal mine waste from a wash plant, tippie, or other source? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit Coal Waste Plan and, if applicable, the information required by paragraph (H) of rule 1501:13-4-14 of the Administrative Code.  
**NA no permit Area**
- (b) Disposal of fly ash or other noncoal wastes? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit an addendum which addresses the disposal material and a detailed disposal plan, pursuant to paragraph (E) of rule 1501:13-9-09 of the Administrative Code.  
**NA no permit Area**
- (c) Return of slurry or other mine waste or material into the abandoned underground workings? \_\_\_\_ Yes, X No. If "yes," comply with provisions contained in paragraph (N) of rule 1501:13-4-14 and paragraph (Q) of 1501:13-9-04 of the Administrative Code, and submit copies of the required MSHA approvals as an addendum.
- (15) Will the proposed operation include beneficial use of coal combustion by-products (CCBs) pursuant to Section 1513.02 of the Ohio Revised Code? \_\_\_\_ Yes, X No. If "yes," submit CCB Plan.

B. EXISTING STRUCTURES - Permit Area

- (1) Are any existing structures proposed to be used in connection with or to facilitate the coal mining and reclamation operation? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit as an addendum to the permit application a description of each structure. The description shall include the information required by paragraph (B)(1) of rule 1501:13-4-14 of the Administrative Code.  
**NA no permit Area**
- B. (2) Are any existing structures proposed to be modified or reconstructed for use in connection with or to facilitate the coal mining and reclamation operation? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit as an addendum to the permit application, a compliance plan for each structure. The plan shall include the information

required by paragraph (B)(2) of rule 1501:13-4-14 of the Administrative Code.

**NA no permit Area**

C. **BLASTING - Permit Area**

Will blasting occur within 25 feet of the surface during shaft and portal development or other on-site development? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit Blasting - Underground Operations.

**NA no permit Area**

D. **RECLAMATION PLAN - GENERAL REQUIREMENTS - Permit Area (Item D (12)- Permit, Shadow and Adjacent Area)**

- (1) Provide a detailed timetable for the completion of backfilling and grading for each mining year.

**NA no permit Area**

- (2) Provide a detailed timetable for the completion of resoiling for each mining year.

**NA no permit Area**

- (3) Provide a detailed timetable for the completion of planting for each mining year.

**NA no permit Area**

- (4) Describe the plan for backfilling, compacting and grading of the disturbed permit area, including the disposal of all mine generated debris.

**NA no permit Area**

- (5) Submit an addendum describing the plan for the removal, storage, redistribution and stabilization of topsoil, subsoil, or approved alternative resoiling material to meet the requirements of rule 1501:13-9-03 of the Administrative Code. If an alternative resoiling material is to be used, submit ARM Plan.

**NA no permit Area**

- (6) Provide the following information for the revegetation plan:

**NA no permit Area**

- (a) Schedule for revegetation to include planting of temporary vegetation.

- D. (6) (b) List the species and amounts per acre of seeds and seedlings to be used.
- (c) Describe the methods to be used in planting and seeding.
- (d) Describe the mulching techniques.
- (7) Describe the soil testing plan for evaluation of the results of topsoil handling and reclamation procedures related to revegetation.  
**NA no permit Area**
- (8) Submit an addendum describing the measures to be employed to handle and place acid or toxic-forming materials in accordance with paragraph (J) of rule 1501:13-9-04 and paragraph (J) of rule 1501:13-9-14 of the Administrative Code.  
**NA no permit Area**
- (9) Describe the measures, including appropriate cross-sections and maps, to be used to plug, case or manage mine openings or bore holes other than those entries utilized to gain access to the underground workings, pursuant to rule 1501:13-9-02 of the Administrative Code.  
**No mine openings and boreholes in application area**
- (10) Is the reclamation plan consistent with local physical, environmental, and climatological conditions? \_\_\_\_ Yes, \_\_\_\_ No.  
**NA no permit Area**
- (11) Identify any other applicable air and water quality laws and regulations and health and safety standards and describe the steps to be taken to comply with each.  
**NA no permit Area**
- (12) Submit an addendum describing the plan for minimizing to the extent possible and using the best technology currently available disturbances and adverse impacts of the operation on fish and wildlife and related environmental values, including compliance with the Endangered Species Act, and achieving enhancement of such resources where practical for the permit, shadow and adjacent areas.
- The proposed underground mining activity includes the room and pillar method only. No subsidence will occur within the proposed shadow or adjacent area. There will be no impact on fish, wildlife, related environmental values, or endangered species.

E. RECLAMATION PLAN-PROTECTION OF HYDROLOGIC BALANCE - Permit and Adjacent Area

Submit an addendum describing the measures to be taken during and after the proposed mining operations to:

- (1) Minimize disturbance to the hydrologic balance, including quality and quantity, within the permit and adjacent areas and to prevent material damage outside the permit area;
- (2) Protect the rights of present users of surface and ground water;
- (3) Avoid acid or toxic drainage.  
**There are no water sources above the proposed application area, and no subsidence is planned**

F. GROUND WATER AND SURFACE WATER MONITORING PLAN - Permit and Shadow Area

Based upon the probable hydrologic consequences determination and analysis of all baseline hydrologic, geologic and other information submitted in this application, address the following items in accordance with paragraph (F) of rule 1501:13-4-14 and paragraph (N) of rule 1501:13-9-04 of the Administrative Code.

- (1) In addition to the quality and quantity parameters required for quarterly monitoring and NPDES monitoring, will any other parameters be monitored? ☐ Yes, ☐ No. If "yes," indicate the parameter(s) and the site(s) where such monitoring will occur.

Please refer to the response to this item in Permit D-0425-5

- (2) Do you propose or anticipate the need for a variation in the required monitoring frequency for ground and surface water sites and monthly monitoring for NPDES? ☐ Yes, ☐ No. If "yes," describe the variation in frequency and the monitoring sites to be affected.

Please refer to the response to this item in Permit D-0425-5

- (3) Describe the plan for collection, recording, and reporting of all surface and ground water quality and quantity monitoring data, including data collected for the NPDES program.

Please refer to the response to this item in Permit D-0425-5

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H. PROTECTION OF PUBLIC PARKS AND HISTORIC PLACES - Permit and Planned Subsidence Area

Will the proposed coal mining activities adversely affect any public parks and places listed on the National Register of Historic Places? \_\_\_\_ Yes, \_\_\_\_ No. If "yes," submit an addendum describing the measures to minimize or prevent these impacts.

**NA no permit Area or planned subsidence area**

I. MINING NEAR OR THROUGH A PUBLIC ROAD - Permit Area

If the response to Part 1, item D(6) of the permit application is "yes," submit an addendum describing the measures to be used to ensure that the interests of the public and landowners are protected.

**NA no permit Area**

J. SUBSIDENCE CONTROL SURVEY - Shadow Area

(1) Is this a full coal recovery operation? \_\_\_\_ Yes, X No. If "yes," complete Subsidence Control Survey and following items J (2) and (3).

(2) Does the shadow area contain any of the structures or facilities listed in 1501:13-12-03(J)(1-3)? \_\_\_\_ Yes, X No. If "yes," complete Subsidence Control - Protection of Specific Structures, and specifically identify the structures or facilities on the application map.

(3) Are any aquifers or bodies of water that serve as a significant water source for any public water supply system present in the shadow area? \_\_\_\_ Yes, X No. If "yes," complete Subsidence Control - Protection of Specific Structures, and specifically identify the areas on the application map.

K. SUBSIDENCE CONTROL PLAN - Shadow Area

(1) Submit an addendum that describes the method of coal removal, and indicates the size, sequence, and timing of the development of the underground workings.  
**The method of coal removal will be room and pillar. The proposed area will be developed in March, 2007**

(2) Utilizing the application map, specifically indicate areas where planned subsidence mining methods (i.e. longwall or pillar extraction) will be used.  
**No Subsidence planned**

(3) Utilizing the application map, specifically indicate room-and-pillar mining areas where subsidence will be prevented or minimized.  
**Entire application area contains room-and-pillar mining, no planned subsidence**

- K. (4) Submit as an addendum, for those areas mapped as room-and-pillar mining, the following information: **See addendum to page 28, Part 3, K(4)**
- (a) The maximum and average overburden thickness.
  - (b) The projected maximum extraction ratios for mains, submains, and butt sections, as well as the existing ranges of values for the same areas.
  - (c) Projected maximum width of entries and cross cuts throughout the mine, as well as the existing ranges of values for the same areas.
  - (d) The center spacing for entries and cross cuts.
  - (e) Minimum pillar dimensions for mains, submains, and butt sections, as well as the existing ranges of values for these areas.
  - (f) The barrier pillar width between butt sections, as well as the existing ranges of values for the same areas.
  - (g) The engineering properties of the clay/shale, or other soft rock material in the roof and floor of the mine. **See Permit D-0425-5.**
  - (h) Measures to be taken on the surface to prevent damage or lessening of the value or reasonably foreseeable use of the surface, if any.
  - (i) The minimum pillar safety factor, for protected structures, based upon coal strength and load.
  - (j) Methods and calculations used to determine the safety factor.
- (5) Submit as an addendum for those areas mapped as full coal recovery mining, the following information: **No subsidence planned for the application area**
- (a) For each method to be employed (i.e. longwall or pillar extraction), provide the following:
    - i) Rate and direction of dip for the coal seam.
    - ii) Dimensions of panels or butt sections.
    - iii) Thickness of coal to be extracted (mining height).
    - iv) Maximum angle of draw.
    - v) Maximum anticipated subsidence.
    - vi) Width of barrier pillars or chain pillars between sections or panels.
    - vii) The maximum extraction ratio within a pillaring section.
  - (b) The anticipated effects of planned subsidence upon the land and water resources identified in the subsidence control survey and survey of ground and surface water resources.
  - (c) The measures to be taken to mitigate the anticipated effects of planned subsidence to the land and water resources.
  - (d) The anticipated effects of planned subsidence upon the structures identified in the subsidence control survey.

ADDENDUM TO PAGE 28, PART 3, K(4)

American Energy Corporation

Century Mine

Permit D-0425

Page 1 of 1

INFORMATION REGARDING AREAS MAPPED AS ROOM-AND-PILLAR  
MINING

- (a.) The maximum overburden thickness for the application area is 620 feet with an average of 580 feet.
- (b.) The projected extraction ratio for submains is a minimum of 31.3%, and maximum of 39.0%.
- (c.) The projected entry and crosscut widths for submains is a minimum of 17 feet, and a maximum of 19 feet.
- (d.) The center spacing for entries is 78 feet and crosscuts is 150 feet for submains.
- (e.) The pillar dimensions for submains is a minimum on 60x83.5 and maximum of 60x132.
- (f.) The barrier pillar width between butt sections in the submains are a minimum of 150 feet, and a maximum of 1000 feet.
- (g.) See table 13 in D-0245-4.
- (h.) In order to prevent damage to the surface, pillars with safety factors greater than 2.0 will be utilized, and no pillar extraction will take place.
- (i.) The minimum pillar safety factor is 3.28 for the submains based upon coal strength and load.
- (j.) The Analysis of Retreat Mine Pillar Stability (ARMPS) program, developed by the National Institute for Occupational Safety and Health (NIOSH), was used to determine pillar safety factors. Please refer to D-0425-4 for information about the ARMPS method of pillar design.

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- K. (5) (e) The proposed measures to be taken to mitigate anticipated effects to structures.
- (f) The proposed measures to determine the extent of mining related damages including a presubsidence survey with an indication of the timing of the survey.
- (g) The provisions for repair and/or compensation for damages to structures.
- (h) Describe the monitoring, if any, needed to determine the commencement and degree of subsidence so that, when appropriate, other measures can be taken to prevent, reduce, or correct material damage in accordance with rule 1501:13-12-03 of the Administrative Code.
- (6) Will planned subsidence operations be conducted within the angle of draw of urbanized areas, cities, towns, communities, industrial or commercial buildings, major impoundments, or perennial streams? \_\_\_ Yes, X No. If "yes," describe any measures or activities that will prevent a condition or practice that could result in an imminent danger to the health or safety of the public.
- (7) Will planned subsidence operations be conducted within the angle of draw of transmission pipelines? \_\_\_ Yes, X No. If "yes," describe the procedural plan to avoid the creation of a situation of imminent danger to the health and safety of the public.

If an addendum is needed to present the information required by the items in the permit application, the addendum is to be submitted with the permit application and each page, map, plan or other document in the addendum should include the applicant's name and indicate to what item the addendum applies. For example, "Addendum to Part 3, item K(2)Zebco Coal Company."

8. Provide the information requested below for all technical data submitted in the application.

[illegible]

(1) The technical data is to be identified by referencing the particular item in the application for which the data was used in preparing the response (e.g. Part 2, B(1); Hydrologic Inventory; Part 4, A).

